[No. 133]

(SB 405)

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 104.

The People of the State of Michigan enact:

CHAPTER XVII

777.12 Chapters 200 to 299 of Michigan Compiled Laws; felonies to which chapter applicable.

Sec. 12. This chapter applies to the following felonies enumerated in chapters 200 to 299 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
205.27(1)(a)	Pub trst	G	Failure to file or false tax return or payment	5
205.27(1)(b)	Pub trst	G	Aiding and abetting tax evasion or filing false returns	5
205.27(1)(c)	Pub trst	G	Making/permitting false tax returns or payments	5
205.27(3)	Pub trst	G	False tax returns/perjury	15
205.28(1)(e)	Pub trst	G	State employee compromising taxes	5
205.28(1)(f)	Pub trst	G	Unauthorized disclosure of tax	
			information	5
205.428(2)	Pub trst	G	Tobacco products tax act violations	5
205.428(3)	Pub trst	G	Illegal sale of cigarettes or other tobacco products with wholesale	
			price of \$250.00 or more	5

207 (20(2)		-	711	
205.428(6)	Pub trst	\mathbf{F}	Illegal tobacco stamp or tobacco	10
205 420(5)	D 1 4 4	a	stamp device	10
205.428(7)	Pub trst	G	Illegal vending machine license,	E
907 110-	Dl1	C	disk, or marker Gasoline tax—embezzlement over	5
207.118a	Pub ord	G	\$100	10
207.119	Pub trst	G	Gasoline or motor fuel tax violation	4
207.127c	Pub ord	G	Diesel fuel tax—embezzlement	-
201.1210	1 ub oru	ď	over \$100	10
207.754(3)	Pub trst	G	State treasurer—municipality	
(-)			tax—divulging confidential	
			information	5
252.311	Property	H	Destroying a tree or shrub to	
			make a sign more visible	2
257.233a(7)	Pub ord	G	Odometer tampering	5
257.254	Property	\mathbf{E}	Possessing stolen vehicle title	10
257.257(1)	Property	G	Altering or forging vehicle	
			documents—first offense	5
257.257(2)	Property	G	Altering or forging vehicle	_
0 0 (0)		_	documents—second offense	7
257.257(3)	Property	\mathbf{E}	Altering or forging vehicle	
			documents—third or	15
257 200(C)	Pub ord	F	subsequent offense	15 5
257.309(6) 257.309(7)	Pub ord Pub ord	r F	Corrupting an examining officer Deviating from road test criteria	5
257.309(1) 257.309(8)	Pub ord	r F	Forging, counterfeiting, or altering	Э
201.009(0)	1 ub ora	Г	road test certification	5
257.312b(6)	Pub ord	\mathbf{F}	Corrupting a person or agency	J
			conducting a motorcycle driving	
			test	5
257.312b(7)	Pub ord	\mathbf{F}	Deviating from motorcycle road	
			test criteria	5
257.312b(8)	Pub ord	\mathbf{F}	Forging, counterfeiting, or altering	
			motorcycle road test certification	5
257.329(1)	Property	G	Possession/sale of stolen or	_
0 = 0 0 0 (0)		_	counterfeit insurance certificates	5
257.329(2)	Property	\mathbf{E}	Possession/sale of stolen or	
			counterfeit insurance certificates— second offense	7
257.329(3)	Property	E	Possession/sale of stolen or	1
Z91.5Z9(5)	Froperty	Ŀ	counterfeit insurance certificates—	
			third or subsequent offense	15
257.601b(3)	Person	\mathbf{C}	Moving violation causing death to	10
(0)			construction worker	15
257.601c(2)	Person	$^{\mathrm{C}}$	Moving violation causing death to	
` '			operator of implement of husbandry	15
257.602a(2)	Pub saf	G	Fleeing and eluding—fourth degree	2
257.602a(3)	Pub saf	\mathbf{E}	Fleeing and eluding—third degree	5
257.602a(4)	Person	D	Fleeing and eluding—second degree	10
257.602a(5)	Person	\mathbf{C}	Fleeing and eluding—first degree	15

257.617	Person	E	Failure to stop at scene of a	
257.625(4)(a)	Person	С	serious personal injury accident Operating a vehicle under the	5
			influence or while impaired causing death	15
257.625(4)(b)	Person	В	Operating a vehicle under the influence or while impaired	
			causing death to certain persons	20
257.625(5)	Person	E	Operating a vehicle under the influence or while impaired	
257.625(7)(a)(ii)	Person	E	causing serious impairment Operating a vehicle under the	5
,,,,,			influence or while impaired with a minor in the vehicle—	
			subsequent offense	5
257.625(8)(c)	Pub saf	\mathbf{E}	Operating a vehicle under the	
			influence—third or subsequent	-
257 625(0)(b)	Person	E	offense Allowing a vehicle to be operated	5
257.625(9)(b)	rerson	Ľ	while under the influence or	
			impaired causing death	5
257.625(9)(c)	Person	G	Allowing a vehicle to be operated	
			while under the influence or	
			impaired causing serious	
			impairment	2
257.625(10)(c)	Pub saf	\mathbf{E}	Impaired driving—third or	_
OFF (OF) (F)	D 1 C	D	subsequent offense	5
257.625k(7)	Pub saf	D	Knowingly providing false information concerning an	
			ignition interlock device	10
257.625k(9)	Pub saf	D	Failure to report illegal ignition	10
_ 0,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1 010 001	2	interlock device	10
257.625m(5)	Pub saf	\mathbf{E}	Commercial drunk driving—third	
			or subsequent offense	5
257.653a(3)	Person	\mathbf{G}	Failure to use due care and caution	
			causing injury to emergency	_
055 050 (4)	D	a	personnel	2
257.653a(4)	Person	\mathbf{C}	Failure to use due care and caution causing death to	
			emergency personnel	15
257.744a	Pub saf	D	False statement in citation—perjury	15
257.902	Pub saf	E	Motor vehicle code violations	5
257.903(1)	Property	\mathbf{E}	Motor vehicle code—false	
	1 0		certification—first offense	5
257.903(2)	Property	\mathbf{E}	Motor vehicle code—false	
			certification—second offense	7
257.903(3)	Property	D	Motor vehicle code—false	
			certification—third or	15
257 904(4)	Person	С	subsequent offense Operating a vehicle without a	15
257.904(4)	1 61 8011	C	license causing death	15
			neonic couping death	10

257.904(5)	Person	\mathbf{E}	Operating a vehicle without a	
OFF 004(F)	T.	~	license causing serious impairment	5
257.904(7)	Person	G	Allowing a vehicle to be operated	
			without a license causing serious impairment	2
	Person	Е	Allowing a vehicle to be operated	4
	1 CIBOII	ь	without a license causing death	5
257.1353(2)	Pub trst	Н	Motor vehicle—fail to record	
			material matter—subsequent	
			offense	2
257.1354(2)	Pub trst	H	Motor vehicle—general	
			violations—subsequent offense	2
257.1355	Pub trst	Η	Motor vehicle—fail to record	0
070 100	D	177	transaction/falsify records	2
259.183	Property	E	Aircraft—unlawful taking or tampering	5
259.185(4)	Person	\mathbf{C}	Operating or serving as crew of	9
200.100(4)	1 CI SOII	C	aircraft while under the influence	
			causing death	15
259.185(5)	Person	\mathbf{E}	Operating or serving as crew of	
			aircraft while under the influence	
			causing serious impairment	5
259.185(8)	Pub saf	${f E}$	Operating or serving as crew of	
			aircraft while under the	
			influence—third or subsequent	=
285.82	Pub trst	Н	offense Grain dealers act violations	5 5
285.279(c)	Property	E	False pretenses under Michigan	Э
209.219(C)	Troperty	12	family farm development act	
			involving \$1,000 to \$20,000 or	
			with prior convictions	5
285.279(d)	Property	D	False pretenses under Michigan	
			family farm development act	
			involving \$20,000 or more or	
000 455(0)	D 1 0	~	with prior convictions	10
286.455(2)	Pub saf	G	Agriculture—hazardous substance	5
286.929(4) 287.323(1)	Pub trst Person	G C	Organic products act violations Dangerous animal causing death	$\frac{4}{15}$
287.323(2)	Person	G	Dangerous animal causing death Dangerous animal causing serious	19
201.929(2)	1 er son	u	injury	4
287.679	Pub ord	Н	Dead animals—third or subsequent	1
			violation	1
287.744(1)	Pub ord	G	Animal industry act violations	5
287.855	Pub saf	G	Agriculture—contaminating	
			livestock/false statement/	
00=00=(=)		~	violation of quarantine	5
287.967(5)	Pub ord	G	Cervidae producer violations	4
288.223	Pub saf	G	Sale or labeling of oleomargarine violations	3
288.257	Pub saf	G	Margarine violations	3 3
288.284	Pub trst	H	Selling falsely branded cheese	$\frac{3}{2}$
	1 40 0100	11	coming randon, stranded enecode	_

289.5107(2)	Pub saf	F	Adulterated, misbranded, or falsely	
			identified food	4
290.629(1)	Person	G	Weights and measures—assaults	
			enforcement officer	2
290.631(3)	Pub trst	G	Weights and measures	5
290.650	Person	\mathbf{G}	Motor fuels—assaulting/obstructing	
			director or authorized	
			representative	2
290.650b(3)	Pub trst	Η	Motor fuels violations	2

Effective date.

Enacting section 1. This amendatory act takes effect January 1, 2002.

Conditional effective date.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 404 of the 91st Legislature is enacted into law.

This act is ordered to take immediate effect.

Approved October 23, 2001.

Filed with Secretary of State October 23, 2001.

Compiler's note: Senate Bill No. 404, referred to in enacting section 2, was filed with the Secretary of State October 23, 2001, and became P.A. 2001, No. 132, Eff. Jan. 1, 2002.